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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/073,494
	Filing Date	May 6, 1998
	First Named Inventor	Pan et al.
	Group Art Unit	2811
	Examiner Name	H. Vu
Attorney Docket Number		2269-2915.1US (96-149.01)

## ENCLOSURES (check all that apply)

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<input checked="" type="checkbox"/> Amendment in response to office action dated November 3, 2003	<input type="checkbox"/> Petition	
<input type="checkbox"/> Amendment under 37 C.F.R. § 1.116 in response to final office action dated	<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Additional claims fee - Check No. in the amount of \$	<input type="checkbox"/> Certified Copy of Priority Document(s)	
<input type="checkbox"/> Letter to Chief Draftsman and copy of FIGS. with changes made in red	<input type="checkbox"/> Assignment Papers (for an Application)	
<input type="checkbox"/> Transmittal of Formal Drawings	Remarks	
<input type="checkbox"/> Formal Drawings ( sheets)	The Commissioner is authorized to charge any additional fees required but not submitted with any document or request requiring fee payment under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account 20-1469 during pendency of this application.	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Tawni L. Wilhelm	Registration No. 47,456
Signature	<i>Tawni L. Wilhelm</i>	
Date	January 29, 2004	

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB - 5 2004  
TC 2800 MAIL ROOM

**In re Application of:**

Pan et al.

**Serial No.:** 09/073,494

**Filed:** May 6, 1998

**For:** OPERABLE GATE STACK WHICH  
IS SUBSTANTIALLY DEVOID OF  
PITTING AND SEMICONDUCTOR  
DEVICE COMPRISING SAME

**Confirmation No.:** 9834

**Examiner:** H. Vu

**Group Art Unit:** 2811

**Attorney Docket No.:** 2269-2915.1US  
(96-0149.01/US)

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**AMENDMENT**

Mail Stop Non-Fee Amendment  
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Sir:

The following amendments and remarks are filed in response to the Examiner's remarks in the Office Action mailed November 3, 2003, the three-month shortened statutory period for response to which expires on February 3, 2004.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 7 of this paper.